

# **EXHIBIT**

**1**

Narrative:

Bennington Police Department Narrative

Incident # 15BN04213-----15BN07480-----16BN00242

Nature of call: Robbery-----Burglary-----Robbery

Date & Time reported: 07-12-2015 @ 23:15 hrs./11-19-2015 @ 02:58  
hrs./01-11-2016 @ 00:30 hrs.

Location of Call: 227 North Street/301 Main Street/300 Main Street

Narrative:

On Monday, January 11, 2016 at about 12:30 AM, two employees of Martins Mobil, 301 Main Street in Bennington were robbed at gun point by two masked subjects as they were about to make a deposit of \$1700 into the exterior drop box at Citizens Bank, 300 Main Street in Bennington.

The two employees stated one of the armed masked robbers demanded that one employee, Anthony Falace hand over "the money". Falace states he reached into his coat removed a bank deposit bag and dropped it on the ground in front of him. The other masked robber, who was not displaying a gun, retrieved the bank bag from the ground. The one armed robber order the two employees to lay on the ground and not move for 15 minutes. Both robbers then fled the area.

Employee Anthony Falace states the robber with the gun was a "Mexican" appearing male. Later, Falace expanded on his description of the robber who was armed with a silver hand gun. He told me this male may have been Italian or Puerto Rican and spoke with a New York accent. Both Falace and the second employee, Scott Galusha, described the two robbers as males, dressed in dark clothing and both had their faces covered with a mask. They had limited information about height and weight. Falace told me the robber with the gun reminded him of a male he had seen in the probation office. Falace described the male at the probation office as having multiple facial tattoos.

Later I was able to view video captured by Martins Mobile's security cameras. I saw the two employees walking from the store to the bank. The view of the camera does not encompass the area of the banks night deposit drop box. A couple of minutes after the two employees go out of view; two figures can be seen running along the west side of the bank and towards the intersection of Depot Street and Main Street. One figure then runs west on Main Street and the second figure runs south on Washington Avenue. Moments later, the figure that had run south on Washington Avenue can be seen running back north along Washington Avenue and then head west on Main Street, behind the first figure. I then observe on the video, the two employees walking from the bank back to the parking lot of Martins Mobil.

On Tuesday, January 12th, I spoke with David Dupee, owner of Martins Mobil. Dupee told me a person had given him information about who may have committed the armed robbery of the Bennington Subway in July of 2015. On Friday, January 8, 2016, this same Subway was robbed a second time. Dupee told me he was going to try to have this person meet with me to see if he/she would talk about what they knew about the July robbery in case the same person was responsible for both robberies.

I did meet with this person who told me he/she had received information that the July 2015 Subway robbery was committed by Austin Mayhew, and that his girlfriend, Vanessa Garcia, drove Mayhew to and away from the robbery. I was also told that Mayhew's sister was in a relationship with Scott Galusha, one of the two employees robbed at gun point on the 11th. I was also aware that on November 24, 2015, Martin Mobil was the victim of a burglary. During this burglary, money was taken, including about \$200 in change. Further investigation revealed that Garcia had gone to the Hannaford Market and cashed in excess of \$150 in change not long after this burglary.

I was also aware that on Sunday, January 3, 2016, both Mayhew and Garcia were involved in a drug related offense in Bennington. Based upon their involvement, the investigating officer was applying for a search warrant for their home, located at 214 Main Street.

Based upon the story about Mayhew and Garcia's involvement in the Subway robbery, the connection of Mayhew's sister's relationship with a Martins Mobil employee, Garcia turning a large amount of change shortly after the burglary, I went to Hemmings Gas station which is located next to the residence of Garcia and Mayhew. I was aware that Hemmings had a security system that includes multiple video cameras. My intent was to see if these cameras recorded any type of movement of Garcia and Mayhew or their vehicle around the time of the armed robbery of the two Martins Mobil employees'.

I was able to view video of the morning of January 11th. From 12:00 AM to 12:35 AM, there was a significant amount of activity at the residence of Garcia and Mayhew. While in Hemmings, employees told me Mayhew had been in their store that morning at about 8:50 AM with an unusual appearing male. The Hemmings employees described this male as have multiple facial tattoos and tattoos covering his entire head. I was also told this male had a "Star" tattoo on the side of his head. After viewing the video of this male that was with Mayhew in the Hemmings store, the tattooed male was identified as John Chinnici. I know Chinnici and his family originate from the New York City area. I do not know John Chinnici from any past interactions, but I have had multiple interactions with his father and brothers, who have a New York accent.

On Thursday morning, January 14th, a search warrant was executed on the Mayhew/Garcia apartment. Both were taken into custody. At the Bennington Police Department, both Garcia and Mayhew were interviewed. As a result of this interview, Mayhew admitted to being one of the two robbers of the Martins Mobil employee on Monday morning, January 11th. Mayhew told me he was the robber who was not armed and that he was the one who picked up the bank bag containing the money. Employee Anthony Falace told me he looked into the eyes of the robber who had picked up the bank bag. Falace told me when they "locked eyes" this robber "looked down". I asked Mayhew if he and one of the employees had "locked eyes" Mayhew said they did. Mayhew told me when they locked eyes, he (Mayhew) looked down. I asked Mayhew why he looked down and his response as "I was ashamed".

Mayhew also told me the path he and the other robber took when they ran from the bank. Mayhew's description matched that of what I had seen on the store's video. Mayhew told me when he got to the intersection of Depot and Main Street, he ran west on Main and the other robber ran south on Washington Avenue. Mayhew told me this robber then changed directions and ran back to Main Street and continued west on Main Street, just as I had seen on the store's video. As our conversation continued, Mayhew named the second robber as John Chinnici.

Mayhew told me Chinnici had a silver semiautomatic pistol as Anthony Falace had described and that Chinnici was the one who ordered Falace to turn over the money bag. Mayhew told me after he and Chinnici had run from the bank, they split up the money. Mayhew states he got about 6 or \$700 and Chinnici took about \$1000. (This is consistent with the dollar amount that was in the bank bag). At that point he told me he and Chinnici split up, with Mayhew returned home and Chinnici went off in a different direction. Mayhew told me about two hours later; Chinnici returned to the Garcia/Mayhew home and stayed there the rest of the night. Mayhew says in the morning both he and Chinnici got coffee at Hemmings.

Detective Silvestro and I then met with Chinnici at his home located at 737 Main Street in Bennington. Also present during this conversation as Chinnici's father and mother. Chinnici denied being in the company of either Garcia or Mayhew and told us he had not seen them since a family gathering several weeks prior. When I told him I had him on video Monday at the Hemmings's gas station in the company of Mayhew, he admitted he had been there.

Mayhew had told me that Sunday night, January 10th, he, Garcia and Chinnici had driven to Dover, Vermont to a pizza restaurant. Mayhew told me after having pizza, he and Chinnici were outside the restaurant and Chinnici asked him he "wanted to make some money". Mayhew told me all three of them, Chinnici, Mayhew and Garcia then returned to Bennington. While with Chinnici I asked him if he, Garcia and Mayhew had gone to Dover for pizza. Chinnici said he had gone to Dover, but Mayhew was not with them. Chinnici also told me that after having pizza, he had stayed at the restaurant with a friend, Robert Farkas. Chinnici says that when the restaurant closed, he went home with Farkas where he stayed the night.

When in the presence of Chinnici, I contacted Farkas by phone. Farkas told me that Chinnici had been at the restaurant with his cousin (Garcia) and the cousin's boyfriend (Mayhew). At that time Chinnici admitted Mayhew was with him and Garcia Sunday evening when they went to Dover. When I asked Farkas if Chinnici had stayed the night with him, Farkas told me he had not and that Chinnici had left the restaurant with Garcia and Mayhew. Later in my conversation with Chinnici talking in the background and asking Farkas to be truthful, Farkas changed his story and said Chinnici had stayed with him.

After ending my phone conversation with Farkas, Chinnici told us he had left the Farkas home located in East Dover at about 2 or 3 AM. Chinnici said he was having an anxiety attack and needed to get out of the house. Chinnici says he walked from East Dover to the Shaw's grocery store in Wilmington, a distance of 8 miles. He told us that at 6:55 AM he boarded the public transportation bus at Shaw's and rode to Bennington, getting dropped off in front of the former Stewarts Store on Main Street. From there Chinnici told us he walked to the Garcia/Mayhew home and then ended up at the Hemmings gas station.

On the morning of Friday January 15th, Detective Silvestro went to the Farkas home and spoke to Robert and Theresa Farkas. Both stayed with the story that Chinnici was in their home at about 11 or 11:30 when they went to bed. Mrs. Farkas says Chinnici woke her up at about 3 or 3:30 AM telling her she was have a panic attack. Mrs. Farkas said when she woke up in the morning, Chinnici was gone.

Detective Silvestro then went to the office of the public transport business. The buses at this company, Deerfield Valley Transit, are equipped with video cameras. Detective Silvestro, with the assistance of an employee of the Transit Company, reviewed the video of the morning of Monday, January 11th. Without a doubt, Chinnici was not aboard the only bus that runs between Wilmington and Bennington the time of day Chinnici says he was on the bus.

Chinnici told us that he had made two phone calls while at the Farkas home during the early morning hours of Monday January 11th and had made a call to Garcia as he exited the bus upon his return to Bennington. I asked Chinnici if he would give consent for police to check the "call log" on his cell phone. Chinnici's phone was being held by his father Edward Chinnici. Chinnici agreed to have his father bring the phone to the police department to check his call log.

When the phone arrived, I told him that we would only be able to see his complete call log if it was connected to a piece of electronic equipment that would collect all the information. I explained if he had deleted calls, only connecting it to the equipment would give us a true call log.

I had also mentioned that at some point we would be able to determine the location of the cell towers that were used for the calls that he said he made in the early morning hours of Monday January 11th. I told him this would bolster his story if the towers used to make these calls were in the Dover, Vermont area. At that time, Chinnici retracted his consent for a search of the phone. He told us "people send me a lot of stupid shit" via his phone.

In conversations with Chinnici, he also disclosed information that he knew about other crimes. Chinnici told us he knew that Austin Mayhew had committed the November burglary of Martins Mobil. Chinnici was told by Mayhew that he had used a crow bar to pry open the rear door and that he had entered the store and removed money from a wooden box. The money taken in this burglary had been in a wooden box. Chinnici also told us he was with Garcia and Mayhew when both of them were talking about committing the July 2015 armed robbery of Subway. Garcia told Chinnici that she had driven Mayhew to the store and had driven him away from the store. Mayhew admitted to Chinnici that he was the one who entered the store and committed the robbery.

Additionally, Chinnici told us he knew who robbed a bank in Wilmington Vermont in December of 2015. Chinnici told us where the bank robber had hidden the clothing worn by the robber during the commission of the bank robbery. On the morning of Friday, January 15, 2016 Wilmington Police located clothing matching the description of the clothing worn by the bank robber, at the location as described by Chinnici. Chinnici provide us the name and phone number of the bank robber by using cell phone to retrieve this information.

On July 12, 2015 at about 11:15 PM, a person armed with a long knife entered the Subway store located at 227 North Street in Bennington. This robber ordered one Subway employee to hand over money and she did so, handing over about \$1769.00. After obtaining the money and taking the cell phone of one employee and the stores cordless phone, the two employees laid on the floor until the robber had left the building. Other than the description of the clothing, the robber was described as a male, possibly around 25 years of age and of medium height.

On November 19, 2015 at about 2:58 AM, Bennington Police responded to a burglar alarm at Martins Mobile located at 301 Main Street in Bennington. Upon arrival,



police found that entry have been made by the rear door being pried open. Money contained in two or more bank bags containing about \$4470.00 in cash and about \$200 in change was taken from a wooden box located just inside the pried open door. The store's video security system captures images of a single person prying the door open, entering and without hesitation, going directly to where the money was always placed at the end of the business day. This person then leaves without touching anything else within the store.

On Tuesday, January 12, 2015, I spoke to an individual who relayed information he/she had learned many months prior. This person had learned that Vanessa Garcia was expressing regret for being involved in the armed robbery of Subway during July of 2015. Garcia said she had driven her boyfriend, Austin Mayhew, to the Subway where Mayhew entered the store, robbed it and then was driven away by Garcia. On Thursday, January 14th, during a conversation with John Chinnici, who had been arrested for an armed robbery involving Mayhew, told me that he was in the Garcia /Mayhew apartment when both of them admitted to robbing the Subway with Mayhew telling Chinnici that he robbed the store and Garcia telling Chinnici she drove Mayhew to and from the store to commit the robbery.

I also learned that around the time of the burglary of Martins Mobile in November of 2015, Garcia had gone to the coin redemption machine at the Hannaford Market and had turned in around \$150 in change. (\$200 in change was stolen during the burglary). Again on Thursday, January 14th, during a conversation with John Chinnici, who had been arrested for an armed robbery involving Mayhew, Chinnici told me he was with Garcia and Mayhew. They told him Mayhew had burglarized the Martins Mobil. Chinnici told me Mayhew's sister is in a relationship with a Martins employee who had told Mayhew where the money is kept at the end of the business day. Chinnici told us that the money had been kept in a wooden box and that Mayhew used a crow bar to open the rear door of the store. The money had in fact been kept in a wood box and entry was made by prying open the door.

On Thursday, January 14th a search warrant was executed on the home of Garcia and Mayhew for drug related charges. Once in custody, interviews were conducted with Garcia and Mayhew. Mayhew admitted his involvement in the January 11th armed robbery of two Martins Mobil employees. He committed this crime with John Chinnici. Mayhew denied any involvement in the November burglary of Martins and denied involvement in the July robbery of Subway.

During the interview of Garcia, when asked about the November burglary of Martins, her responses was "I don't want to put any more nails in Austin's (Mayhew) coffin". When asked about her bringing coins to Hannaford, she smiled, giggled and said she brought the coins to Coin Star, turned them in and spent the money on bills. She then reiterated she did not want Austin in any more trouble. She then asked if Mayhew was going to jail because of "the 50 robberies he had committed". During a later follow-up interview, Garcia told me she obtained the change as a result of tips she earned as a Subway employee during July and August of 2015. A while later, Garcia told me the change was already in her home and had been collected by her and Mayhew.

When asked about her involvement in the July 2015 Subway robbery, again she stated she did not want to get Mayhew in any more trouble. She also stated "You already have him for the robbery outside of Citizens Bank, why do you want more". Garcia never directly denied involvement in the Subway robbery. We later learned during the course of Garcia's employment at Subway during the months of July and August of 2015, she embezzled about \$800. When this theft was

discovered, Garcia was terminated and agreed to reimburse Subway and signed over her paycheck on September 15, 2015. In our conversations with John Chinnici, he told us Mayhew knew the layout of the Subway store and location of the safe due to Garcia being employed there and telling him these details.

On Friday afternoon, January 15, 2015, Garcia and Mayhew were arrested at their place of employment and transported to the Bennington Police Department. No further interviews were conducted and neither made any further attachments other than they had not committed the crimes they were being charged with (other than Mayhew's prior admission to the committing the armed robbery of the Martins employees).

Judge Cortland Corsones found Probable Cause and waived the 48 hour rule on 01-15-2016 at about 7 PM.

This ends my involvement.

Case status: Closed by arrest  
Submitted by: L. Cole